

## Checklist of Instances Where Prior Written Notice is Required

### 92 NAC 51 – 009.05 (Part B ages 3 to 21)

(NOTE: This checklist should be seen as a guide and not as an exhaustive list.)

Events Requiring A Prior Written Notice	YES	NO
<b>IDENTIFICATION</b>		
Child Find activities.....		X
Screening .....		X
School-based team activities.....		X
Referral for initial evaluation.....	X	
Change in/addition of categorical identification.....	X	
<b>EVALUATION</b>		
Collection of new data for initial evaluation and reevaluation.....	X	
Review of existing data.....		X
Evaluation of progress on the annual goals.....		X
Administration of statewide or district wide assessments.....		X
Request for an Independent Educational Evaluation (IEE).....		X
Refusal of request for an IEE.....	X	
Determination of eligibility upon completion of an initial evaluation or reevaluation.....	X	
Eligibility issues.....	X	
Refusal to conduct an evaluation.....	X	
Observation for evaluation purposes.....	X	
<b>EDUCATIONAL PLACEMENT</b>		
Initial educational placement into special education.....	X	
Relocation of the special education program (room assignment).....		X
Any change in educational placement/least restrictive environment.....	X	
Termination of special education and related services.....	X	
Graduation with a regular diploma.....	X	
Disciplinary removal for more than 10 consecutive school days.....	X	
Disciplinary removal for <b>not</b> more than 10 school days.....		X
A change in placement due to a series of disciplinary removals that constitute a pattern because: <ul style="list-style-type: none"> <li>• the series of removals total more than 10 school days in a school year</li> <li>the child's behavior is substantially similar to the child's behavior in previous incidents</li> <li>• such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.</li> </ul>	X	
Disciplinary removal to an interim alternative educational setting for not more than 45 school days.....	X	
<b>PROVISION OF FREE APPROPRIATE PUBLIC EDUCATION (FAPE)</b>		
Deletion or addition of a related service.....	X	
Change in annual goals on an existing IEP.....	X	
Increase or decrease in special education services or related services.....	X	
Change in how a student will participate in statewide or district wide assessments.....	X	
Any revision of the IEP (i.e. times significantly change) .....	X	
Increase or decrease to supplementary aids and services or supports to school personnel listed in the child's IEP.....	X	
Refusal to increase or decrease a related service.....	X	
Revision of IEP to include ESY.....	X	

**PRIOR WRITTEN NOTICE – shall include**

**92 NAC 51-009.05B**

- 009.05B1 A description of the action proposed or refused by the school district or approved cooperative;
- 009.05B2 An explanation of why the district or approved cooperative proposes or refuses to take the action;
- 009.05B3 A description of other options the IEP Team considered and the reasons why those options were rejected;
- 009.05B4 A description of each evaluation procedure, assessment, record or report the school district or approved cooperative uses as a basis for the proposal or refusal;
- 009.05B5 A description of any other factors which are relevant to the school district's or approved cooperative's proposal or refusal;
- 009.05B6 A statement that the parents of a child with a disability have protection under the procedural safeguards of this Chapter and, if his notice is not an initial referral for evaluation, the means by which a copy or description of the procedural safeguards can be obtained;
- 009.05B7 Sources for parents to contact to obtain assistance in understanding the provision of this Chapter.

**PRACTICAL TIPS:**

- ❖ If in doubt send it out!
- ❖ After an IEP meeting, prior to implementing the revisions to the IEP, a Prior Written Notice should be completed.
- ❖ Regardless of the name of the form a district or approved cooperative uses, if a prior written notice is required, all the components indicated above **MUST** be included and completed.